	1					
	2	CITY ATTORNEY Robert S. Maerz – 111796				
	3	Kathryn Luhe116587 Airport General Counsel				
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	5	San Francisco, CA 94128-8097 Telephone: (650) 821-5088/ Facsimile: (650) 821	-5086			
	6	e-mail: Kathryn.Luhe@sfgov.org				
	7	WULFSBERG REESE COLVIG & FIRSTMAN PROFESSIONAL CORPORATION				
	8	H. James Wulfsberg – 046192				
	9	Timothy A. Colvig - 114723 Kris A. Cox - 136504				
	10	Kaiser Center 300 Lakeside Drive, 24th Floor				
	11	Oakland, CA 94612-3524 Telephone: (510) 835-9100				
		Facsimile: (510) 451-2170 e-mail: KAC@wulfslaw.com				
9100	13	Attorneys for Plaintiff City and County of San Francisco				
TELEPHONE (510) 835-9100	14					
	15	UNITED STATES DISTRIC NORTHERN DISTRICT OF C SAN FRANCISCO DIVI				
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	17					
	18	CITY AND COUNTY OF SAN FRANCISCO,	No. C			
	19	A California Municipal Corporation,	JOINT			
	20	Plaintiff,	STATE TO CO			
	21	vs.	CONFI			
	22	FACTORY MUTUAL INSURANCE COMPANY, a Rhode Island Corporation,	DATE: TIME: 2			
		BOMBARDIER TRANSPORTATION (HOLDINGS) USA, INC., a Delaware	COURT			
	23	Corporation,	THE HO			
	24	Defendants. AND RELATED COUNTERCLAIMS				
	25					
	26					
	27					
	28					

RICT COURT F CALIFORNIA DIVISION C 04-5307 PJH INT STATUS CONFERENCE ATEMENT AND [PROPOSED] ORDER CONTINUE CASE MANAGEMENT NFERENCE TE: NOVEMBER 13, 2008 ME: 2:30 P.M. URTROOM: 3 E HONORABLE PHYLLIS J. HAMILTON

Case 4:04-cv-05307-PJH Document 192 Filed 10/30/08 Page 2 of 3

LAW OFFICES
WULFSBERG REESE COLVIG & FIRSTMAN
PROFESSIONAL CORPORATION
KAISER CENTER
300 LAKESIDE DRIVE, 24TH FLOOR
OAKLAND, CALIFORNIA 94612-3524
THE EPHONE 4510, 235, 2010

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As set forth in the April 18, 2008 stipulation and order, the parties in this action entered into a settlement in principle of the entire action, contingent upon the approval of the settlement by the San Francisco Airport Commission, the Board of Supervisors, and the Mayor. Since the April 18, 2008 stipulation was submitted, the parties finalized all the documents necessary to effect the settlement. These documents have been submitted to the Board of Supervisors for review and approval. However, this process has taken longer than originally anticipated.

The parties are informed and believe that the approval process will be completed by no later than December 31, 2008. If the matter is not entirely dismissed on or before December 31, 2008, or in the event that the City rejects or otherwise has not approved the settlement by that date, the parties propose that they file a Joint Case Management Status Statement apprising the Court of the status of approval of the settlement, and/or requesting a Case Management Conference, if appropriate.

Consequently, the parties respectfully request the Court vacate the current November 13, 2008 Further Case Management Conference and set a Further Case Management Conference for January 15, 2008, or a date thereafter convenient to the Court.

Dated: October 29, 2008 WULFSBERG, REESE COLVIG & FIRSTMAN PROFESSIONAL CORPORATION

By<u>: /s/</u> Kris A. Cox

Attorneys for Plaintiff, City and County of San Francisco

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	1	Dated: October 29, 2008	CARLSON, CALLADINE & PETERSON, LLP
	2		By:
	3		Joyce Wang Attorneys for Defendant Factory Mutual Insurance Company
	4		
	5		
	6	Dated: October 29, 2008	SONNENSCHEIN NATH AND ROSENTHAL LLP
	7		By:
	8		Gayle M. Athanacio
	9		Attorneys for Defendant Bombardier Transportation (Holdings) USA, Inc.
	10		
MAN	11	IT IS SO ORDERED.	TES DISTRICA
ÎRSTI	12		CTATES DIO THUCK
G & F TION FLOOR 612-352	13	Dated: <u>October 30</u> , 2008	
ICES JL VIG & DRPORATION INTER E, 24TH FLOINIA 94612- 0) 835-9100	14		IT IS SO ORDERED
LAW OFFICES ULFSBERG REESE COLVIG & FIRSTMAN PROFESSIONAL CORDORATION KAISER CENTER 300 LARESIDE DRIVE, 24TH FLOR OAKLAND, CALIFORNIA 94612-3524 TELEPHONE (510) 835-9100	15	27311122	
J REE ROFESSI KA LAKESSI AND, C	16		Judge Phyllis J. Hamilton
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	18		DISTRICT OF CE
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JOINT CASE MANAGEMENT STATEMENT 1349-031\2241040.1

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